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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,333	04/24/2000	Mary Michelle Quinton	210599	7798

23460 7590 03/24/2004

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EXAMINER

WEAVER, SCOTT LOUIS

ART UNIT	PAPER NUMBER
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2645

10

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/557,333

Applicant(s)

QUINTON, MARY MICHELLE

Examiner

Scott L. Weaver

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2000.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☒ Claim(s) 1-75 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-10, drawn to Interactive system with call router and server to route internet protocol telephony call, classified in class 370 , subclass 352 , combined circuit switching and packet switching .
 - II. Claims 11-15, drawn to unified messaging system with email store and voice mail system, classified in class 379 subclass 88.17 audio message storage or retrieval with interaction with an external non-telephone network
 - III. Claims 16-20, drawn to system to enhance speech enabled web applications and web navigation, classified in class , subclass 709, subclass 231, computer to computer data streaming.
 - IV. Claims 21-53, drawn to a data structure to enhance media processing with speech recognition terminal data structure, classified in class 704, subclass 231, speech signal processing recognition.

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- V. Claims 54-75, drawn to a data structure to enhance media processing with speech generation terminal data structure., classified in class 704, subclass 258, speech signal processing synthesis.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I-V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable.

In the instant case, the invention of group I has separate utility such as for routing internet protocol telephony calls to telephony users and does not require unified messaging system with email store as in group II, nor system to enhance speech enabled web applications and web navigation, as in group III, nor data structure to enhance media processing with speech recognition terminal data structure as in group IV, nor, data structure to enhance media processing with speech generation terminal data structure as in group V.

The invention of group II has separate utility such as for saving voice call in an email such that a computer user can retrieve saved voice mail via an email and does not require routing internet protocol telephony calls to telephony users as in group I, nor a system to enhance speech enabled web applications and web navigation, as in group III, nor data structure to enhance media processing with speech recognition terminal data structure as in group IV, nor, data structure to enhance media processing with speech generation terminal data structure as in group V.

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The invention of group III has separate utility such as for enabling users to navigate audio web enabled applications via for example a telephone and voice browser and does not require routing internet protocol telephony calls to telephony users as in group I, nor a unified messaging system with email store as in group II, nor a data structure to enhance media processing with speech recognition terminal data structure as in group IV, nor, data structure to enhance media processing with speech generation terminal data structure as in group V.

The invention of group IV has separate utility such as for enabling user to use speech recognition and enhance the speech recognition process and does not require routing internet protocol telephony calls to telephony users as in group I, nor a unified messaging system with email store as in group II, nor a system to enhance speech enabled web applications and web navigation, as in group III, nor a data structure to enhance media processing with speech generation terminal data structure as in group V.

The invention of group V has separate utility such as for enabling users to develop and improve speech synthesis applications and does not require routing internet protocol telephony calls to telephony users as in group I, nor a unified messaging system with email store as in group II, nor a system to enhance speech enabled web applications and web navigation, as in group III, nor a data structure to enhance media processing with speech recognition terminal data structure as in group IV.

See MPEP § 806.05(d).

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3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Because these inventions are distinct for the reasons given above and the search required for each respective Group I-V is not required for each of the other respective Groups I-V, restriction for examination purposes as indicated is proper.

5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.


6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Weaver whose telephone number is 703-308-6974. The examiner can normally be reached on Tuesday to Friday 8 AM to 6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SCOTT L. WEAVER
PRIMARY EXAMINER
Art Unit 2645